

AMENDED IN SENATE JUNE 5, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 730

Introduced by Assembly Member Keeley

February 26, 1997

An act to amend Section 49558 of the Education Code, relating to education.

LEGISLATIVE COUNSEL'S DIGEST

AB 730, as amended, Keeley. Meals for needy pupils: records.

Existing law provides that all applications and records concerning any individual made or kept by any public officer or agency in connection with the administration of any provision of the Education Code relating to free or reduced price meal eligibility shall be confidential, and shall not be open to examination for any purpose not directly connected with the administration of any free or reduced price meal program, or any investigation, prosecution, or criminal or civil proceeding conducted in connection with the administration of any free or reduced price meal program.

This bill would authorize a public officer or agency to allow the use by school district employees, who are authorized by the governing board of the school district, of individual records pertaining to pupil participation in any free or reduced price meal program solely for the purpose of disaggregation of academic achievement data if the public agency ensures that it has adopted a policy which allows for

the use of individual records for these purposes ~~and~~, no individual indicators of participation in any free or reduced price meal program are maintained in a pupil's permanent record if not otherwise allowed by law, *no public release of information regarding individual pupil participation is permitted, and all other confidentiality provisions required by law are met.*

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 49558 of the Education Code is
2 amended to read:

3 49558. (a) All applications and records concerning
4 any individual made or kept by any public officer or
5 agency in connection with the administration of any
6 provision of this code relating to free or reduced price
7 meal eligibility shall be confidential, and shall not be open
8 to examination for any purpose not directly connected
9 with the administration of any free or reduced price meal
10 program, or any investigation, prosecution, or criminal or
11 civil proceeding conducted in connection with the
12 administration of any free or reduced price meal
13 program.

14 (b) Notwithstanding subdivision (a), a public officer
15 or agency may allow the use by school district employees,
16 who are authorized by the governing board of the school
17 district, of individual records pertaining to pupil
18 participation in any free or reduced price meal program
19 solely for the purpose of disaggregation of academic
20 achievement data if the public agency ensures the
21 following:

22 (1) The public agency has adopted a policy which
23 allows for the use of individual records for these purposes.

24 (2) No individual indicators of participation in any free
25 or reduced price meal program are maintained in the
26 permanent record of any pupil if not otherwise allowed
27 by law.

1 (3) *No public release of information regarding*
2 *individual pupil participation in any free or reduced price*
3 *meal program is permitted.*
4 (4) *All other confidentiality provisions required by law*
5 *are met.*

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